

● RECEIVED

MAY 25 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TECH CENTER 1600/2900

Application of: **Jon A. Wolff and**)
Vladimir G. Budker)

Serial No.: **09/707,117**)

Filed: **November 6, 2000**)

Group Art Unit:)

For: **Intravascular Delivery of Nucleic Acid**

INFORMATIONAL STATEMENT

Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. 1.56, applicant hereby calls to the attention of the Patent and Trademark Office the publications listed on the attached PTO 1449. One copy of each publication is attached.

UNITED STATES PATENTS

<u>Patent No.</u>	<u>Inventor</u>	<u>Issue Date</u>
5,922,687	Mann, Michael J.	07/13/99
5,580,859	Felgner, Philip L.	12/03/96
5,598,531	Nabel, Elizabeth	12/16/97
5,521,291	Curiel, David T.	05/28/96
5,583,020	Sullivan, Sean	12/10/96

FOREIGN PATENTS

<u>Patent No.</u>	<u>Inventor</u>	<u>Issue Date</u>
-------------------	-----------------	-------------------

REFERENCES CITED

Boulikas, Teni. "Gene Therapy to Human Diseases: Ex Vivo and In Vivo Studies (Review)." International Journal of Oncology; 1996; vol. 9; pp. 1239-1251.

Budker, V., Et al., "The Efficient Expression of Intravascularly Delivered DNA in Rat Muscle."

Gene Therapy; 1998; vol. 5; pp. 272-276.

French, Brent A., Et al., "Cellular and Molecular Cardiology: Percutaneous Transluminal In Vivo Gene Transfer by Recombinant Adenovirus in Normal Porcine Coronary Arteries, Atherosclerotic Arteries, and Two Models of Coronary Restenosis." Circulation; November 1994; vol. 90(5); pp. 2402-2413.

Rekhter, Mark D. MD, PhD, Et al., "Graft Permeabilization Facilitates Gene Therapy of Transplant Arteriosclerosis in a Rabbit Model." Circulation; September 29, 1998; vol. 98(13); pp. 1335-1341.

Rekhter, Mark D., Et al., "Gene Transfer Into Normal and Atherosclerotic Human Blood Vessels." Circ. Res.; 1998; vol. 82; pp. 1243-1252.

Ross, Gail, Et al., "Gene Therapy in the United States: A Five-Year Status Report." Human Gene Therapy; September 10, 1996; vol. 7; pp. 1781-1790.

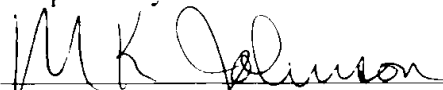
Simari, Robert D., Et al., "Regulation of Cellular Proliferation and Intimal Formation Following Balloon Injury in Atherosclerotic Rabbit Arteries." Gene Therapy for Atherosclerotic Arteries; J. Clin. Invest.; July 1996; vol. 98, no. 1; pp. 225-235.

Von Der Leyen, Heiko, E., Et al., "A Pressure-Mediated Nonviral Method For Efficient Arterial Gene and Oligonucleotide Transfer." Human Gene Therapy; September 20, 1999; vol. 10; pp. 2355-2364.

Zhang, Guofeng, Et al., "Expression of Naked Plasmid DNA Injected into the Afferent and Efferent Vessels of Rodent and Dog Livers." Human Gene Therapy; October 10, 1997; vol. 8; pp. 1763-1772.

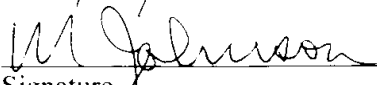
Applicant respectfully requests that these publications be expressly considered during the prosecution of this application and made of record herein and appear among the 'References Cited' on any patent to issue herefrom.

Respectfully submitted.



Mark K. Johnson Reg. No. 35,909
P.O. Box 510644
New Berlin, WI 53151-0644
(262) 821-5690

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on 5/22/01.



Signature



05/23/01

RECEIVED
05/23/01

MAY 25 2001

TECH CENTER 1600/2900

Please type a plus sign (+) inside this box → ☐

PTO/SB72Y (08-00)

Approved for use through 10/31/2002 OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/707,117
	Filing Date	November 6, 2000
	First Named Inventor	Jon A. Wolff
	Group Art Unit	
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	Mirus.018.02

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Mark K. Johnson
Signature	
Date	May 22, 2001

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: May 22, 2001	
Typed or printed name	Mark K. Johnson
Signature	
Date	May 22, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.